

**Notice of Allowability**

Application No.

10/714,344

Applicant(s)

COFFIN ET AL.

Examiner

Art Unit

David E. Martinez

2181

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/27/06.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*FRITZ FLEMING*  
FRITZ FLEMING  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

*12/7/2006*

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 5/10/06, 5/11/06, 11/14/03.

***Election/Restrictions***

Applicant's election with traverse to prosecute the invention of Species 1 – claims 1-14 in the reply filed on 10/27/06 is acknowledged. Applicant's traversal is on the ground(s) that Species 1 is encompassed in the independent claims 1, 15, 21, 25, 32 and 34, and as such they should be examined. The examiner respectfully disagrees. This was not found persuasive because the species requirement was directed to independent claims having reciting different embodiments or a media platform, each having differing features that require a diverging search for different elements. However, The traversal is moot due to the cancellation of claims 15-34 as per the telephone conversation with Edward Brooks (Reg. No. 40,925) on 12/6/06.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Edward Brooks (Reg. No. 40,925) on 12/6/06.

This Examiner's Amendment overcomes a 101 non-statutory subject matter rejection to originally filed independent claim 1 since as originally filed, it appeared to be directed only to software per se. The Examiner's amendment overcomes a 101 rejection by having the media platform include a processor and a memory (hardware). The changes being supported by the specification in figure 1 and in page 15 – lines 5-15 as well as by originally filed claim 21 (now cancelled as per this Examiner's amendment).

The Examiner's amendment also overcomes a 112-2<sup>nd</sup> paragraph rejection to claims 6, 8 and 13 which were originally filed having trademarks in them.

Art Unit: 2181

The application has been amended as follows:

In claim 1, the term:

--- a processor; and

a memory connected to the processor, the memory including computer executable instruction which when executed by the processor provide:---

has been inserted after the term "A media platform, comprising:" in line 1, and before the term "a media provider" in line 2.

In claim 6, the term "a Java Native Interface (JNI) library." has been deleted and replaced with --  
- an object oriented native interface library. ---.

In claim 8, the term "a JNI library and includes C++ programming instructions" has been deleted and replaced with --- an object oriented interface library. ---.

In claim 13, the term "a Linux based" has been deleted and replaced with --- an open source based ---.

Claims 15-34 have been cancelled.

### ***Allowable Subject Matter***

Claim 1-14 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

With regards to claim 1, the prior art of record, alone or in combination fails to teach or fairly suggest a memory including computer executable instructions which when executed by a processor provide a media group module to receive direct memory access (DMA) slot allocation instructions from a media provider module; a first driver associated with a telecom media card (TMC) to receive instructions from the media provider module to provide media data traffic connections on the TMC; and a TMC proxy module coupled to a second driver associated with the TMC, the TMC proxy module to receive DMA slot allocation instructions from the media group module and to communicate DMA slot and buffer address instructions to the second driver to connect DMA slots.

US Patent No. 6,327,271 to Goterman et al. (Goterman), the closest prior art, fails to teach all of the claimed subject matter of the instant application. Goterman only teaches a network interface card (fig 3 NIC element 30) that can be used within a computer device such

Art Unit: 2181

as the one shown in figure 1. The NIC receiving application requests for DMA slot allocation [column 7 lines 1-4, column 6 lines 52-59], the NIC having only one software driver (whereas the instant application has two software driver modules) associated with it [column 7 lines 4-6], the NIC including a slot manager that provides slots to a DMA engine and receives slots from the DMA engine, when these slots are reallocated after a DMA transfer.

As shown, in comparison to the instant application, Gotterman fails to disclose all of the elements shown in the instant application. Gotterman discloses fewer module elements inside the computer device and within the NIC that fail to perform all of the sending and receiving of instructions to allocate DMA slots, as well as DMA instructions to communicate DMA slot and buffer address instructions to a second driver to connect DMA slots in combination with the rest of the elements in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Martinez whose telephone number is (571) 272-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz M. Fleming can be reached on 571-272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2181

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DEM

*Fritz M. Fleming*  
FRITZ FLEMING  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100  
12/7/2006